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CERTAINE

CONSIDERATIONS

TOVCHING THE

better Pacification, and

Edification of the Church of

ENGLAND.

Dedicated to His moſt Excellent Majeſty.

Printed, MDC. XXXX.

CERTAINE CONSIDERATIONS touching the better pacification, and Edification of the Church of ENGLAND.

Dedicated to His most Excellent Majesty.

THE Unitie of Your Church, (*Excellent Soveraigne*) is a thing no lesse precious, than the Union of your Kingdomes; being both Workes wherin your happinesse may contend with your worthinesse. Having therefore presumed not, without your Majesties gracious acceptation to say somewhat of the one, I am the more incouraged not to be silent in the other; the rather, becausе it is an Argument that I have travelled heretofore: But *Solomon* commendeth a

word spoken in season; and as our Saviour (speaking of the discerning of seasons) saith, *when you see a cloud rising in the west, you say it will be a showre*: So your *Maiesty*, rising to this *Monarchie* in the West parts of the World, doth promise a sweet and fruitefull houre of many blessings upon this Church and Common-wealth, a showre of that influence, as the very first dewes and drops thereof, have already layd the stormes and windes throughout Christendome, reducing the very face of *Europe*, to a more peaceable and amiable Countenance. But to the purpose.

It is very true that these Ecclesiasticall matters, are things not properly appertaining to my profession, which I was not so inconsiderate, but to object to my selfe; but finding that it is many times seene, that a man that standeth off, and somewhat removed from a plot of ground, doth better survey it and discover it, than those which are upon it, I thought it not possible, but that I as a looker on, might cast mine eyes upon some things which the actors themselves, (especially some being interessed, some led and addicted, some declared and ingaged) did not, or would not see; and that knowing in my Conscience, whereto GOD beareth witnesse, that the things which I shall speake, spring out of no vaine of popularitie, ostentation, desire of novelitie, partialitie to either side, disposition to intermeddle, or any the like Leven I

may

may conceive hope, that what I want in depth of judgement, may be countervailed in simplicitie, and sinceritie of affection. But of all things, this did most animate me, that I found in these opinions of mine, (which I have long held and embraced, as may appeare by that which I have many yeares since written of them, according to the proportion, nevertheless of my weakenesse) a consent and confirmity with that which your Majesty hath published, of your owne most Christian, most wise and moderate sence in these causes: wherein you have well expressed to the World, that there is infused in your sacred brest from God, that high principle and position of Government, *That you ever hold the whole more deere, than any part.*

For who seeth not, that many are affected and give opinion in these matters, as if they had not so much a desire to purge the evil from the good, to countenance and protect the evil by the goodas Others speake as if their scope were onely to set forth what is good, and not to seeke forth what is possible, which is to wish and not to propound. Others proceed, as if they had rather a minde of remouing, then of reforming. But howsoever either side as men, though excellent men shall run into extremities, yet your Maiesty, as a most wise, equall, & Christian Moderator, is disposed to find out the golden Mediocrity, in the establishment of that which is sound, and in the reparation of that which

which is corrupt and decayed. To your Princely judgement then I doe in all humblenesse, submit whatsoever I shall propound, offering the same but as a mite into the Treasurie of your Wisdome? For as the Astronomers do wel observe, that when three of the superiour Lights do meet in conjunction, it bringeth forth some admirable effects: so there being joyned in your Majesty the light of Nature, the light of Learning, and above all the light of *Gods* holy spirit, it cannot be but your government must be as a happy constellation over the States of your Kingdomes. Neither is there wanting to your Majesty that fourth Light, which though it be but a borrowed Light, yet is of singuler efficacie and moment added to the rest, which is the Light of a most wise, and well compounded Councell, to whose Honourable and grave Wisdomes I doe likewise submit whatsoever I shall say; Hoping that I shall not need to make protestation of my mind and opinion, that untill your Majestie doth otherwise determine and order, all actuall and full obedience is to be given to Ecclesiasticall jurisdiction, as it now stands; and when your Majestie hath determined and ordered, that every good Subject ought to rest satisfied, and apply his obedience to your Majesties Lawes, Ordinances, and Royall commandements. Nor of the dislike I have of all immodest bitternesse, peremptorie presumption, popular handling, and other courses

tending

tending rather to rumour and impression in the vulgar sort, then to likelyhood of effect, ioyned with observation of dutie.

But before I enter into the points controverted I think good to remove (if it may be) two opinions, which doe directly confront and oppone to reformation, the one bringing it to a nullitie, and the other to an impossibilitie. The first is, *That it is against good policie to innovate any thing in Church matters.* The other, *That all reformation must be after one Platforme.*

For the first of these, it is excellently said by the Prophet, *State super vias antiquas, & videte quænam sit via recta & vera, & ambulate in ea.* So as he doth not say, *State super vias antiquas, & ambulate in eis.* For it is true, that with all wise and moderate persons, custome and vsage obtaineth that reverence, as it is sufficient matter to moove them to make a stand, and to discover and take a view, but it is no warrant to guide or conduct thē; a iust ground I say it is of deliberation, but not of direction. But on the other side, who knoweth not that time is truly compared to a streame, that carieth downe fresh and pure waters into that salt sea of corruption which inironeth all humane actions? And therefore if man shall not by his industry, vertue, and policie, as it were with the oare row against the streame and inclination of time, all institutions & ordinances, be they never

ſo pure will corrupt and degenerate: But not to handle this matter common-place-like, I would only aske, why the Civill State ſhould be purged and reſtored by good and wholeſom Lawes made every third & fourth yeere in Parliaments aſſembled, deviſing remedies as faſt as time breedeth miſchiefs, and contrariwiſe the Eccleſiaſtical State ſhould ſtill continue vpon the dregs of time, and receive no alteration now for theſe five and forty yeares and more? If any man ſhall obiect, that if the like intermiſſion had beene uſed in Civill cauſes alſo, the error had not beene great. Surely, the wiſedome of the Kingdome hath beene otherwiſe in experience, for three hundred yeares ſpace at the leaſt. But if it be ſaid to me, that there is a difference betweene Civill cauſes and Eccleſiaſticall, they may as well tell me, that Churches and Chappels need no reparations, though Caſtles and houſes doe, whereas commonly to ſpeake truth, dilapidations of the inward and ſpirituall edifications of the Church of God are in all times as great, as the outward and materiall. Sure I am, that the very word and ſtile of Reformation uſed by our Saviour, *ab initio non fuit ita*, was applyed to Church-matters, and thoſe of the higheſt nature concerning the Law morall.

Nevertheleſſe, hee were both unthankefull and unwiſe that would deny, but that the Church of *England* during the time of Queene *Elizabeth* of famous

famous memorie did flouriſh. If I ſhould compare it with forrein Churches, I would rather the compariſon ſhould be in the vertues, then as ſome make it, in the defects; rather I ſay, as betweene the Vine & the Oliue, which ſhould be moſt fruitfull, & not as between the Bryer and the Thiſtle, which ſhould be moſt vnprofitable. For that reverence ſhould be uſed to the Church which the good Sonnes of *Noah* vſed to their fathers nakedneſſe, that is, as it were to goe backward, and to helpe the defects thereof, and yet to diſſemble them. And it is to be acknowledged, that ſcarcely any Church ſince the *Primitiue Church*, yeelded in like manner of yeares and Latitude of Countrey, a greater number of excellent Preachers, Famous Writers, and graue Gouernours. but for the Diſcipline and Orders of the Church, as, many and the chiefeſt of them are very holy and good, ſo yet if *Saint Iohn* were to indite an Epiſtle to the Church of *England* as he did to them of *Aſia*, it would ſure haue the clauſe *Habeo aduerſus te pauca*. And no more for this point, ſaving that as an appendixe thereunto, it is not amiſſe to touch that obiection, which is made to the time, and not to the matter, pretending that if Reformation were neceſſary, yet it were not now reaſonable at your *Majeſties* firſt entrance. Yet *Hippocrates* ſaith, *Si quid moues, à principio moue*. And the wiſedome of all examples doth ſhew, that the wiſeſt *Princes*, as they haue euer

been the most sparing in remooving or alteration of Servants and Officers vpon their comming in; so for removing of abuses and enormities, and for reforming of Lawes and the policie of their States, they have chiefly sought to enable and commend their beginnings therewith, knowing that the first impression with people continueth long, and when mens mindes are most in expectation and suspence, then are they best wrought and managed. And therefore it seemeth to me, that as the spring of nature, I meane the spring of the yeare, is the best time for purging and medicining the naturall body; so the spring of Kingdoms, is the most proper season for the purging and rectifying of politique bodies.

There remaineth yet an objection rather of suspition then of reason; and yet such as I thinke maketh a great impression in the mindes of very wise and well affected persons; which is, *That if way be given to mutation, though it be in taking away abuses, yet it may so acquaint men with sweetnesse of change, as it will undermine the stabilitie even of that which is sound and good.* This surely had beene a good and true allegation in the ancient contentions and divisions between the people and the Senate of *Rome*, where things were caried at the appetites of multitudes which can never keepe with in compasse of any moderation. But these things being with us to have an orderly passage

under

under a King who hath a *Royall power*, and approved Iudgment, and knoweth as well the measure of things, as the nature of them, is surely a needlesse feare. For they need not doubt; but your Maiesty with the advise of your Councell, will discerne what things are intermingled like the tares amongst the wheat, which have their rootes so inwrapped and intangled, as the one cannot be pulled up without indangering the other, and what are mingled, but as the chaffe and the corne, which needs but a fanne to sift and sever them. So much therefore for the first point, of no reformation to be admitted at all.

For the second point. That there should be but one form of *Discipline* in all Churches, and that imposed by a necessity of a commandement and prescript out of the Word of God; it is a matter Volumes have beene compiled of, and therefore cannot receive a briefe redargution. I for my part doe confesse, that in revealing the Scriptures I could never find any such thing, but that God had left the like liberty to the *Church government*, as he hath done to the *Civill Government*, to be varied according to time and place and accidents, which nevertheless his high and divine providence doth order and dispose; for all *civill governments* are restrained from God unto the generall grounds of Iustice and manners, but the policies and formes of them are left free. So that

Monarchies and Kingdomes, Senates and Seignio-ries; popular States and Communalties, are all lawfull, and where they are planted ought to bee maintained inuiolate.

So likewise in Church matters, the substance of Doctrine is immutable, and so are the generall Rules of gouernment; but for Rites and Ceremonies, and for the particular *Hierarchies*, policies, and Disciplines of Churches, they be left at large. And therefore it is good wee returne unto the ancient bonds of vnity in the Church of God, which was one *Faith*, one *Baptisme*; and not one *Hierarchie*, one *Discipline*, and that wee obserue the league of *Christians*, as it is penned by our Saviour *Christ*, which is in substance of Doctrine, this; *Hee that is not with us is against vs*. But in things indifferent and but of Circumstance, this: *He that is not against vs, is with vs*. In these things so as the generall rules be obserued, *that Christs flocke be fed, that there be a succession in Bishops and Ministers*, which are the *Propheis* of the *New Testament*, that there be a due and reuerent vse of the power *of the Keyes*, *that those that Preach the Gospell, liue of the Gospell*; *that all things tend to Edification*; *that all things be done in order and with decency*, and the like; the rest is left to the holy wisedome and spirituall discretion of the Master-builders and inferiour builders in *Christs Church*, as it is excellently alluded by that Father that noted that *Christs Garment* was without

out seame, and yet the Churches garment was of divers colours, and thereupon setteth downe for a Rule, *In veste varietas sit, scissura non sit.*

In which variety nevertheleſſe it is a safe and a wiſe courſe to follow good examples and preſidents. But then the rule of imitation and example, is to conſider not onely which are the beſt, but which are the likeſt, as namely the government of the Church, in the pureſt times of the firſt good Emperours that imbraced the *Faith.* For the times of perſecution before temporall *Princes* received the *Faith*, as they were excellent times for doctrine & manners, ſo they be vnproper and vnlike examples of outward government and policy. And ſo much for this point: now to the particular points of Controverſies, or rather Reformation.

Circumſtances in the Government of Biſhops.

FIrſt therefore for the Government of Biſhops, I for my part not prejudging the Preſidents of other reformed Churches doe hold it Warranted by the Word of God, and by the practiſe of the ancient Church in the better times, and much more convenient for Kingdomes then parity of Miniſters, and government by Synods. But then further it is to be conſidered, that the Church is not

now

now to plant or build, but onely to bee pruned from corruptions and repaired; and restored in some decayes.

For it is worth the noting, that the Scripture saith, *Translato Sacerdotio, necesse est ut & Legis fiat translatio.* It is not possible in respect of the great and neere Sympathie betweene the *State Civill*, and the *State Ecclesiasticall*, to make so maine an alteration in the Church, but it would have a perillous operation upon the Kingdome; and therefore it is fit, that controversie be in peace and silence.

But there bee two circumstances in the administration of Bishops, wherein I confessed I could never be satisfied. The one, *the sole exercise of their authoritie*: The other, *The Deputation of their authoritie.*

For the first, the Bishop giveth orders alone, excommunicateth alone, judgeth alone. This seemes to be a thing almost without example in government, and therfore not vnlikely to have crept in the degenerate and corrupt times: Wee see the greatest Kings and monarchs have their Councels; There is no temporal Councell in *England* of the higher sort where the authority doth rest in one person. The Kings-bench, Common-pleas and the Exchequer, are benches of a certain number of Iudges. The Chancellor *of England* hath an Assistance of 12 Masters of the Chancerie. The Master of the Wards hath a councell of the Court. So hath

hath the Chancellor of the Duchie. In the Exchequer chamber, the *Lord Treasurer* is joyned with the Chancellor and the Barons; The Masters of the Requests are ever more than one. The Iustices of Assize are two. The *Lord Presidents* in the Marches and in the *North*, have councels of divers. The Starre chamber is an assembly of the *Kings* privie *Councell* aspersed with *Lords* Spirituall and Temporall. So as in all Courts the principall person hath ever either *Colleagues* or *Assessors*.

The like is to be found in other well governed Kingdoms abroad where the jurisdiction is yet more distributed, as in the Courts of Parliament of *France*, and in other places. No man will deny, but the Acts that passe the *Bishops* jurisdiction, are of as great importance as those that passe the *Civil Courts*; for mens soules are more precious then their bodies or goods, & so are their good names. *Bishops* have their infirmities, and have no exception from that generall malediction which is pronounced against all men living, *Væ soli, nam si ceciderit, &c.* Nay, we see that the first warrant in Spirituall causes is directed to a number *Dei Ecclesiæ*, which is not so in temporall matters. And we see that in generall causes of *Church government*, there are aswel assemblies of al the *Cleargie* in Councels, as of the States in *Parliament*, whence should this sole exercise of jurisdiction come? Surely, I doe suppose and thinke upon ground, that *ab initio*

non fuit ita; and that the Deanes and Chapters were Counsels about the Seas and chayres of *Bishops* at the first, and were unto them a *Presbyterie*, or *Consistorie*, and intermedled not onely in the disposing of their revenues and endowments, but much more in jurisdiction Ecclesiasticall. But it is probable, that the *Deane* and *Chapter* stuck close to the Bishops in matters of profit and the world, and would not loose their hold; but in matters of jurisdiction, (which they accounted but trouble and attendance) rhey suffered the Bishops to encroach and usurpe, and so the one continueth, and the other is lost. And wee see that the Bishop of *Rome*, (*fas est & ab hoste doceri*, and no question in that *Church* the first institutions were excellent) performeth all Ecclesiasticall jurisdiction as in *Consistory*.

And whereof consisteth this *Consistory*, but of the parish Priests of *Rome*, which terme themselves *Cardinals*, *a cardinibus mundi*, because the Bishop pretendeth to be universal over the whole world. And hereof againe we see divers shadowes yet remaining; as that the *Deane* and the *Chapter*, *pro forma* chooseth the *Bishop*, which is the highest point of jurisdiction. And that the Bishop when hee giveth orders, if there be any Ministers casually present, calleth them to ioyne with him in imposition of hands, and some other particulars; And therefore it seemes to me a thing reasonable and religi-

ous

ons, and according to the first institution, that Bishops in the greatest causes, and those which require a spirituall discerning, namely in ordayning, suspending or depriving Ministers in Excommunication being restored to the true and proper use as shall be afterwards touched; in sentencing the validity of Marriages, and legitimations, in juding causes criminous, as Symonie, Incest, Blasphemy, and the like, should not proceed sole and unassisted, which point as I understand, is a Reformation that may be planted *sine strepitu*, without any perturbation at all, and is a matter which will give strength to the Bishops, countenance to the inferiour degrees of Prelates or Ministers, and the better issue or proceeding in those causes that shall passe.

And as I wish this strength given to the *Bishops* by Councell, so it is not unworthy your *Maiesties* Royall consideration, whether you shall not think fit to give strength to the general Counsel of your *Clergie*, the *Convocation House*, which was then restrained, when the state of the Clergie was thought a suspected part to the Kingdome in regard of their late homage to the Bishop of *Rome*, which state now will give place to none in their loyaltie and devotion but to your *Maiesty*.

For the second point, which is the Deputation of their authority, I see no perfect and sure ground for that neither, being somewhat diffe-

rent from the examples and rules of government. The *Bishop* exerciseth his jurisdiction by his *Chancellor* and *Commissarie, Officiall &c.* Wee see in all Lawes in the world, *Offices* of confidence and skill cannot be put over nor exercised by deputie, except it be especially contained in the originall grant, and in that case it is dutifull. And for experience, there was never any Chancellour of *England*, made a Deputie. There was never any Iudge in any Court made a Deputie. The *Bishop* is a Iudge, and of a high Nature, whence commeth it that he should depute, considering that all trust and confidence as was said, is personall and inherent, and cannot or ought not, to be transposed? Surely in this againe *ab initio non fuit ita*, but it is probable, that *Bishops* when they gave themselves too much to the glory of the World, and became *Grandes* in Kingdomes, and great Counsellors to Princes, then did they beleague their proper jurisdiction as things of too inferiour a nature for their greatnesse; and then after this similitude and imitation of Kings and Counts Palatine, they would have their Chancellours and Iudges.

But that example of Kings and Potentates giveth no good defence. For the reasons why Kings administer by their Iudges, although themselves are supreame Iudges, are two; The one because the Offices of Kings are for the most part of inheritance,

heritance, and it is a rule in all Lawes; *That Offices of inheritance are rather matters that sound in interest, then in confidence*, for as much as they may fall upon Women, upon Infants, upon Lunatiques and Idiots, persons uncapable to execute judicature in person, and therefore such Officers by al Lawes might ever be exercised and administred by delegation. The second reason is, because of the amplitude of their jurisdiction, which is as great as either their birth-right from their Ancestors, or their sword-right from God, maketh it. And therfore if *Moses* that was Governor over no great people, and those collected together in a Campe, and not scattered in Provinces & Cities, himselfe likewise of an extraordinary spirit, was nevertheless not able to suffice and hold out in person to judge the people, but did by the advise of *Iethro* approved from God, substitute Elders and Iudges, how much more other Kings and Princes?

There is a third reason likewise, not much to the present purpose, and that is: That Kings either in respect of the Common wealth, or of the greatnesse of their own Patrimonies are usually parties in sutes, and then their Iudges stand indifferent betweene them and the Subiect. But in the case of *Bishops*, none of these reasons hold. For first their Office is elective and for life, and not patrimoniall or hereditary; an Office meerly of confidence, science and qualification. And for the second rea-

son, it is true that their jurisdiction is ample and spacious, and that their time is to bee divided betweene the labours as well in the Word and Doctrine, as in government and jurisdiction. But yet I doe not see, supposing the Bishops Courts to be used uncorruptly, and without any indirect course held to multiply causes for gaine of fees, but that the Bishop might very well for causes of moment, supply his iudiciall function in his owne person. For we see before our eyes, that one *Chancellor* of *England* dispatcheth the suites in equitie of the whole Kingdome; which is not by reason of the excellency of that rare honourable person which now holdeth that place, but it was ever so, though more and lesse burdenous to the sutor, as the *Chancellor* was more or lesse able to give dispatch. And if heed be taken to that which was said before, that the *Bishops* labour in the Word must take up a principall part of his time, so I may say againe, that matters of State have ever taken up most of the *Chancellors* time, having beene for the most part persons, upon whom the Kings of this Realme have most relied for matters of Councell. And therfore there is no doubt, but the *Bishop* whose circuit is lesse ample, and the causes in nature not so multiplying, with the helpe of references and certificates to and from fit persons for the better ripening of causes in their meane proceedings, and such ordinary helpes incident to jurisdiction,

diction, may very well suffice his *Office.* But yet there is another helpe, for the causes that come before him are these. Tythes, Legacies and Administrations, and other testamentary causes, causes Matrimoniall, accusations against Ministers tending to their suspension, deprivation or degrading: Simony, Incontinency, Heresie, Blasphemy, breach of Sabboth, and other like causes of scandall. The first of these two in mine opinion, differ from the rest, that is, Tithes and Testaments, for those bee matters of profit and in their nature Temporall, though by a favour & connivence of the temporall jurisdiction, they have been allowed and permitted to the *Courts Ecclesiasticall*, the one, to the end the *Clergie* might sue for that that was their sustentation, before their owne Iudges, and the other in a kind of piety and Religion, which was thought incident to the performance of dead mens Wils. And surely for these two, the Bishop in mine opinion, may with lesse dangers discharge himselfe upon his ordinary Iudges. And I thinke likewise it will fall out that those sutes are in the greatest number. But for the rest, which require a Spirituall science and discretion in respect of their nature, or of the scandall, it were reason in my opinion there were no audience given, but by the Bishop himselfe, hee being also assisted as was touched before, bnt it were necessary also hee were attended by his *Chancellor* or some others his Officers,

ficers, being learned in the *Civil Law*, for his better instruction in points of formalitie, or the courses of the Court, which if it were done, then were there lesse use of the *Officials Court*; whereof there is now so much complaint; and causes of the nature aforesaid being onely drawn to the audience of the Bishop, it would represse frivolous and poling sutes; and give a grave and incorrupt proceeding to such causes as shall be fit for the Court.

There is a third point also, not of jurisdiction, but of forme of proceeding, which may discerne Reformation; the rather because it is contrary to the Lawes and Customes of this Land and State, which though they doe not rule those proceedings, yet may they be advised with far better directions, and that is, the Oath *ex Officio*, whereby men are inforced to accuse themselves, and that that is more, are sworne unto Blanques, and not unto accusations and charges declared. By the Lawes of *England*, no man is bound to accuse himselfe. In the highest cases of treason, torture is used for discovery, and not for evidence: In capitall matters, no delinquents answer upon oath is required, no nor permitted. In criminall matters not capitall, handled in the *Starre Chamber*, and in causes of Conscience handled in the *Chancerie*, for the most part grounded upon trust & secresie, the Oath of the party is required. But how? where there is an accusation and an accusor, which wee

call

call bills of complaint, (from which the complainant cannot vary, and out of the compasse of the which the defendant may not beexamined) exhibited unto the Court, and by Proces notified unto the defendant. But to examine a man upon oathout of the insinuation of fame, or out of accusation secret and undeclared, though it haue some countenance from the *Civill-Law*, yet is so opposite *ex diametro* to the sence and course of the *Common-Law*, as it may well receiue some limitation.

Concerning the Liturgie, the Ceremonies, and Subscription.

FOR the *Liturgie*, great respect and heed would be taken, lest by inueighing against the dumbe Ministry due reuerence be not withdrawn from the *Liturgie*. For though the guift of Preaching be far aboue that of Reading, yet the action of the *Liturgie* is as high and holy as that of the *Sermon*. It is said, *Domus mea domus orationis vocabitur*, The house of Prayer, not the house of Preaching. And whereas the Apostle saith: *How shall men call upon him on whome they haue not beleeued? And how shall they beleeue unlesse they heare? and how shall they heare without a Preacher?* It appeareth that as Preaching is the more originall, so Prayer is the more finall, as the difference is betweene the seed and the

fruit for the keeping of Gods Law; is the fruite of the teaching of the Law; and *Prayer, or Invocation, or Divine Service, or Liturgie* (for these be but variety of termes) is the mediate allowing of the Name of God, and the principall work of the first Table, and of the great Commadnement of the Law of God. It is true, that the *Preaching of the holy word of God*, is the sowing of the seed, it is the lifting up of the brazen Serpent, the Ministry of Faith, and the ordinary meanes of salvation: but yet it is good to take example, how that the best Action of the worship of God may be extolled excessiively and superstitiously.

As the extolling of the Sacrament bred the superstition of the Masse; the extolling of the *Liturgie* and *Prayers*, bred the superstition of the Monasticall orders & oraison, and so no doubt preaching likewise may be magnified and extolled superstitiously, as if all the whole body of Gods worship should be turned into an eare. So as none (as I suphose) of sound judgement, will derogate from the *Liturgie*, if the forme thereof be in all parts agreeable to the word of God, the example of the *Primitive Church*, and *that holy decency which* St. Paul *commendeth*. And therefore first, that there be a set forme of *Prayer and that it be not left, either to an extemporall forme, or to an arbitrary forme*. Secondly, that it consist aswell of laudes, hymnes, & thankesgivings, as of petitions, prayers, and supplications. Thirdly,

Thirdly, that the Forme thereof be quickned with some shortnesse, & diuersities of *Prayers* & hymnes, and with some interchanges of the voyce of the people as well as of the voyce of the *Minister*. Fourthly, that it admit some distinctions of times and commemorations of God principall benefits *as well generall as particular*. Fifthly, that *prayers* likewise be appropriated to severall necessities and occasions of the Church, Sixthly, that there bee a Forme likewise of words and Liturgie in *the administration of the Sacraments, and in the deuouncing of the censures of the Church, and other holy actions and solemnities*. These things I thinke wil not be much controverted.

But for the particular exceptions to the *Liturgie* in Forme as it now stands, I thinke diuers of them allowing they were just, yet seeme they not to bee weight, otherwise then that nothing ought to be accounted light in matters of *Religion* and *piety*, as the *Heathen* himselfe could say, *Etiam vultu sæpe læditur pietas*. That the word *Priest* should not bee continued, especially with offence, the word *Minister* being already made familiar.

This may be said that it is a good Rule in translation, neuer to confound that in on, word in the translation, which is precisely distinguished in two words in the original, for doubt of æquvocation and traducing. And therefore seeing the word πρεσβύτερος aud ἱερεύς bee alwayes distnguished

in the originall,& the one used for a Sacrificer,the other for a *Minister*, the word *Priest* being made common to both,whatsoever the derivation be,yet in use it confoundeth the *Minister*,with the *Sacrificer*. And for an example, of this kind, I did ever allow the discretion and tendernes of the *Romish* translatiõ in this point,that finding in the original the Word ἀγάπη and never ἔρως,do ever translate *Charity*, and never *Love*, because of the indifferency and equivocation of the word without impure Love.

Touching the *Absolution*, it is not unworthy consideration whether it may not be thought unproper and unnecessary,for there are but two sorts of *Absolution*,both supposing an obligation precedent: the one upon an *Excommunication*, *which is Religious and Primitive*; the other upon Confession and Pennance,*which is superstitious*, or at least positive,and both particular, neither generall. Therefore since the one is taken away,and the other hath his proper case, what doth a generall *Absolution*, wherein there is neither Pennance nor Excommunication precedent? For the *Church* never looseth, but where the *Church* hath bound. And surely, I may thinke, this at the first was allowed in a kind of Spirituall discretion, because the *Church* thought the people could not be suddenly weaned from their conceit of assoyling, to which they had beene so long accustomed.

For

For *Confirmation*, to my understanding the state of the question is, whether it be not a matter mistaken and altered by time, & whether that be not now made a subsequent to *Baptisme*, which was indeed an inducement to the *Communion*. For wheras in the *Primitive Church*, Children were examined of their Faith before they were admitted to the *Communion*, time may seeme to have turned it to referre as if it had beene to receive a confirmation of their *Baptisme*.

For *Private Baptisme*, by Women or Lay-persons, the best *Divines* do utterly condemne it, & I heare it not generally defended, & I have often marvelled, that when the Book in the Preface to publique Baptisme, doth acknowledge that *Baptisme* is the practise of the *Primitive Church*, was an anniversary, and but at set and certaine times, which sheweth that the *Primitive Church* did not attribute so much to the Ceremony, as they will breake an outward and generall order for it, the Book should afterwards allow of Private Baptisme onely to the *Ministers*, should be broken in regard of the supposed necessity. And therefore this point of all others, I thinke was but a *concessum propter duritiam cordis*.

For the forme of celebrating *Matrimony*; the Ring seemeth to many even of vulgar sence & understanding, a Ceremony not grave, specially to be made (as the words make it) the essentiall part of

the actione: besides some other of the wordsare noted in speech to be not so decent and fit.

For *Musicke in Churches*. That there should bee singing of Psalmes and spirituall songs, is not denied, so the Question is *De modo*; wherein if a man wil look attentiuely into the order and obseruanc of it, it is easie to discerne, *betweene the wisdome of the institution, and the excesse of the late times*. For first, there are no Songs or Verses sung by the Quire, which are not supposed, by continual use to bee so familiar with the people, as they haue them without booke, whereby the sound hurteth not the understanding, and those which cannot read upon the booke, are yet partakers of the sense, and may follow it with their mind. So againe, after the reading of the Word of God, it was thought fit there should be some pawse for holy meditation before they proceeded to the rest of the seruice; which pawse was thought fit to be filled rather with some graue sound, then with a still silence, which was the reason of the playing upon the Organs after the Scriptures read. All which was decent and tending to edification. But then the curiosity of diuision and reports and other figures of musicke, haue no affinity with the reasonable seruice of God, but were added in the more pombous times.

For the *Cap* and *Surplice*, since they be things in their nature indifferent, and yet by some held superstitions, & that the question is betweene Science

and

& Conſcience, it ſeemeth to fall within the compaſſe of the *Apoſtles* rule, which is, that the ſtronger doe deſcend and yeeld to the weaker. Onely, the difference is, that it wil be materially ſaid, that the rule holds betweene private man, and private man, but not betweene the conſcience of a private man, and the order of a *Church* But yet ſince the queſtion at this time is of a toleration, not by connivence which may incourag diſobedience, but by the Law which may give a liberty, it is good againe to bee adviſed, whether it 'al not within the equity of the former rule, the rather becauſe the ſilencing of *Miniſters* by this occaſion, *is in this ſcarcity* of good Preachers, a puniſhment that lights upon the people as well as vpon the party. And for the *Subſcription*, it ſeemeth to be in the nature of a confeſſion, and therefore more proper to bind in the unity of *Faith*, and to be urged rather for Articles of doctrine, then *for Rites and Ceremonies and points of outward government.* For howſoever politike conſiderations and reaſons of State may require *Vniformity*, yet *Chriſtian* and *divine* grounds looke chiefly upon unity.

Touching

Touching a Preaching Ministery.

TO speake of a learned *Ministery*, it is true, the worthinesse of the *Pastors* and *Ministers* is of all other points of religion the most summary; I doe not say the greatest, but the most effectuall towards all the rest. But herein to my understanding, while men goe on in zeale to hasten this worke, they are not aware of as great or greater inconvenience than that which they seeke to remoue. For while they inueigh against a dumbe *Ministery*, they make too easie and too promiscuous an allowance of such as they account *Preachers* having not respect enough unto their learnings in other Arts, which are hand-maids to Divinity, nor respect enough to the guift it self, which many times is none at all. *For God forbid that every man that can take unto himselfe boldnesse to speake an houre together in a Church upon a Text, should be admitted for a Preacher, though he meane never so well.* I know there is a great *Latitude* in gifts, and a great variety in Auditories and Congregations, but yet so, as there is a *aliquid infimum*, below which you ought not to descend. For you must rather leave the Arke to shake, as it shall please *GOD*, than put unworthy hands to hold it up, and when

when we are in Gods Temple, we are warned rather to put our hands upon our mouth, then to offer the Sacrifice of fools. *And surely, it may be justly thought, that amongst many causes of Atheisme, which are miserably met in our age. as Schismes, and controversies, prophane scoffing in holy matters and others, it is not the least, that divers doe aduenture to handle the word of God which are unfit and unworthy.* And herein I would have no man mistake mee, as if I did extoll curious & affected Preaching, which is as much on the other side to be disliked, and breeds *atheisme* and scandall as well as the other (for who would not be offended at one that comes into the pulpit, as if he came upon the stage, to play parts or prizes,) neither on the other side, as if I would discourage any who hath any tolerable gift.

But upon this point, I ground three considerations, whether it were not requisite to renew that good Exercise which was practised in this *Church* some yeares, and afterwards put downe, *by order indeed from the Church in regard of some abuse thereof, inconvenient for those times*, and yet against the advise and opinion, of one of the greatest and gravest Prelates of this Land, and was commonly called *Prophecying*, which was this; That the *Ministers* within a Precinct, did meete upon a weeke day, in some principall Towne, where there was some ancient grave *Minister*, that was *President*, and an *Auditory* admitted

mitted of Gentlemen, or other persons of leasure; *then every minister successively beginning with the youngest* did handle one and the same piece of *Scripture*, spending severally some quarter of an houre or beter, and in the whole, some two houres; and so the *Exercise* being begun and concluded with *prayer*, and the *president* giving a text for the next meeting, the Assembly was dissolved. *And this was I take it, a fortnights Exercise*, which in my opinion was the best way to frame and trayne up *Preachers* to handle the word of God as it ought to be handled, *that hath beene practised. For we see Orators have their Declamations, Lawyers have their mootes, Logicians their Sophems, and every practise of Science hath an exercise of erudition and imitation*, before men come to the life, onely *Preaching* which is the worthiest, and wherein it is most danger to doe amisse, wanteth an *introduction*, and is ventred and rushed upon at the first; but unto this exercise of the *Prophesie* I would wish these two *additions*; the one, that after this *exercise*, which is in some sort publique, there were immediatly a private meeting of the same *Ministers* where they might brotherly admonish the one the other, and especially the elder sort the yonger, of any thing that had passed in the *Exercise* in matter or manner unsound and uncomely.

And in a word might mutually use such advise, *instruction*, *comfort* or *encouragement*, as occasion might

might minister for publike reprehension were to be debarred.

The other *addition* that I meane, that the same *Exercise* were used in the *Vniversities*, for yong *Divines*, before they presumed to Preach as well as in the Country for *Ministers*, *for they have in some Colledges an exercise called a* Common-place, *which can in no degree, be so profitable, being but the speech of one man at one time.* And if it be feared that it may be occasion to whet mens speeches for *Controversies*, it is easily remedyed by some strict prohibition, that matters of *Controversie* tending any way to the violating or disquieting the peace of the Church, be not handled or entred into; which *prohibition* in regard there is ever to be a grave person *President* or *Moderator*, cannot be suffered. The second *consideration* is, whether it were not convenient there should be a more exact probation and examination of *Ministers*. Namely, that the *Bishops* doe not ordaine alone, but by advise, and then that the ancient holy orders of the Church might be revived, by the which the *Bishop* did ordaine *Ministers* but at foure set times in the yeare, which were called, *Quatuor tempora*, which are now called *Ember weekes*; it being thought fit to accompany so high an action with generall *Fasting*, and *Prayer*, and *Sermons*, and all holy exercises. And the names likewise of those that were ordayned were published

some dayes before their ordination, to the end, exceptions might be taken if iust cause were.

The third consideration is, that if the case of the Church of *England* be, that where a computation is taken of all the *parochian Parishes*, as allowing the union of such as were too small, and adjacent, and againe, a computation to be taken of the persons, who are worthy to be *Pastors*. And if upon the said account it fall out, *that there are many more Churches then Pastors*, then of necessity, *recourse must be had to one of these remedies*; eyther that *Pluralities* must be allowed, specially if you can by permutations make the benefices more compatible, as there be allowed *Preachers* to have a more generall charge to supply & serve by turne Parishes unfurnished. *For that some Churches should bee provided of Pastors able to teach*, and other wholly destitute, seemeth to me to be against the Communion of Saints, and *Christians* and against the practise of the *Primitiue Church*.

Touching the abuse of Excommunication.

Excommunication is the greatest judgment upon the Earth, being that which ratified in Heaven, *and being a precursorie or preludorie judgement of Christ in the end of the world*; and therefore for this to be used unreverently, and to be made an ordinary processe to lacky up and downe for fees, how can it be without derogation to Gods honour, and making the power of the keies contemptible? I know very well the defence thereof, which hath no great force, That it issues forth, not for the thing it selfe, but for the contumacy. I doe not deny but this Iudgement is as I said before, of the nature of Gods judgement, of the which it is a modell; For as the judgement of God taketh hold upon the least sinne of the impenitent, so *Excommunication*, may in case issue upon the smallest offence, and in case not issue upon the greatest, but is this contumacy, such a contumacy as *Excommunication* is now used for? For the contumacy must be such, as the party as farre as the eye and wisedome of the Church can discerne, standeth in state of reprobation and damnation, as one that for that time seemeth given over to finall impenitency. Vpon this observation I ground two considerations; The one, that

this censure bee restored to the true dignity and use therof, which is, that it proceed not in cases of great weight, and that it be decreed not by any Deputy or *substitute* of the *Bishop*, but by the *Bishop* in person; and not by him a lone, but by the *Bishop* assisted.

The other Consideration is, that in lieu thereof there be given to the *Ecclesiasticall Courts*, some ordinary processe, *with such force and coertion, as appertainath*. That so the dignity of so high a sentence being retained, and the necessity of meane processe supplyed, the *Church* may be indeed restored to the ancient vigor and splendor. To this purpose joyned with some other holy and good purposes, was there a Bill drawne in Parliament in the three & twentieth yeare of the raigne of the Queen deceased, which was the graveſt Parliament that I have knowne, and the Bill recommended by the graveſt Counsellor of estate in *Parliament*, though afterwards it was stayed by the Queenes speciall commandement, the nature of those times considered.

Touching the Nonresidents and Pluralities.

FOR *Non residents* except it bee just of necessary absence, it seemeth to be an abuse drawne out of covetousnesse and sloath; for that men should live of

of the flocke that they doe not feede, or at the Altar at which they doe not serve, is a thing that can hardly receive just defence: And to exercise the office of a Pastor in matter of word and Doctrine by deputy, is a thing not *warranted, as hath beene touched before*. The questiõ upon this point doth chiefly arise upon the cases of exception, and excusation, which shall be thought reasonable and sufficient, & which not; for the case of Chaplaines, let me speake that with your Majesties pardon, and with due reverence towards other Peeres and grave persons, *which are by Statutes priviledged*, I should thinke that the attendance which Chaplaines give to your Maiesties Court, and in the Houses and Families of their Lords, were a juster reason why they should haue no Benefice, then why they should be qualified to have two, for as it standeth with Christian policy *that such attendance be in no wise neglected*; because that good which ensueth thereof to the Church of God, may exceed or countervaile that which may follow of their labours in any, *though never so large a congregation*, so it were reasonable that their maintainance should liberally proceed thence whence their labours be employed.

Neither are there wanting in the Church, Dignities and preferments not ioyned with any exact cure of soules, by which and by the hope of with such attendants in ordinary, who ought to be as for the most part they are of the best gifts and sort

sort may be further encouraged and rewarded, and us for extraordinary attendants, they may very well retaine the grace and countenance of their places and duties at times incident thereunto, without discontinuance or *non residence* in their Pastorall charges.

Next, for the case of intending studyes in the *Vniversities*, it will now easily receive an *answer*, for studies doe but serve and tend to the practise of those studyes, And therefore by that which most principall and finall to be left undone, for the attending of those which is *subservient and subministrant*, seemeth to bee against proportion of reason. Neither doe I see, but that they proceed Right-well in all knowledge, which doe couple study with their practise, and doe not first study altogether, and then practise altogether. And therefore they may very well study at their Benefice. Thirdly, for the ease of *extraordinary service of the Church, as if some Pastor be sent to a generall Councell, or here to a Convocation*, and likewise for the case of necessity, as in the particular of infirmity of body, and the like, no man will contradict, but there may be some substitution for such a time. But the generall case of necessity, is the case of *Pluralities*, the want of Pastors and insufficiency of livings considered, *Posito*, that a man doth faithfully and incessantly divide his labours betweene two Cures, which kind of necessity I come now to speake of, in the handling of *Pluralities*.

For

For *Pluralities*, in case the number of able Ministers were sufficient, and the value of the Benefices were sufficient, then *Pluralities* were in no sort tollerable. But wee must take heed we desire not contraries; For to desire that every Parish should bee furnished with a sufficient *Preacher*, and to desire that *Pluralities* be forthwith taken away, *is to desire things contrary*, considering *de facto*, there are not sufficient *Preachers* for every Parish; whereto adde likewise, that there is not sufficient living and maintenance in many parishes to maitaine a *Preacher*, and it makes the impossibility yet much the greater. The remedies in *rerum natura*, are but three, *Vnion*, *Permutation*, and *Supply*. *Vnion*, of such Benefices as have the living too small, and the parish not too great, and are adacient. *Permutation*, to make Benefices more compatible men be over-ruled to some losse in changing a better for a nearer. *Supply* by stipendary *Preachers* to be rewarded with some liberall stipends to supply as they may, such places which are unfurnished of sufficient Pastors, as Queen *Elizabeth* amongst other her Christian acts, did erect certaine of them in *Lancashire*, towards which persons, I see no reason but reading Ministers if they have rich Benefices should be charged.

Touching the provision for sufficient maintenance in the Church.

TOuching Church maintenance it is well to be weighed, what is *Iure divino*, and what is *Iure positivo*; it is a constitution of the Divine law, where-from *Humane* lawes cannot derogate; that those that feed the flock, should liue of the flock, that those which serue at the Altar, should liue at the Altar; and which dispence Spirituall things, should reape Temporall things. Of which it is also an appendix, that the proportion of this maintenance be not small or necessitous, but plentiful & liberall; so that all the places and offices in the Church have such a donation, that they may be maintained according to their seuerall degrees, is a constitution permanent and perpetuall. But for particularity of the endowment, whether it should consist in Tythes, or Lands, or persons, or mixt, it may make a question of convenience, but no question of precise necessity: Againe, that the case of the Church *De facto* is such, that there is want in the Church of patrimony, is confessed for the principall places; namely the Bishops liuings are in some particulars not sufficient; and therefore inforced to bee supplyed by toleration of *Commendams*, things in themselves unfit and euer held of no good report.

And

And as for the Benefices and Paſtors places, it is manifeſt, that many of them were very weake and penurious; on the other ſide, that there was a time when the Church was rather burdened with ſuperfluity then with lacke; that is likewiſe apparent, but it was long ſince, ſo as the fault was in others, the want redoundeth upon us againe.

And therefore, that it were to be wiſhed that Impropriations were returned to the Church as the proper and naturall endowment thereof.

As a thing likewiſe whereon mens judgments will not much vary. Alſo, that it is an Impoſſibility to proceed eyther to their reſumption or redemption, is as plaine on the other ſide; for men are ſtated in them by the higheſt aſſurance of the Kingdome, which is Act of Parliament, and the value of them amounteth much aboue tenne Subſidies. And the Reſtitution muſt of neceſſity paſſe their hands, in whoſe hands there is intereſt and poſſeſſion.

But of theſe things which are manifeſtly true, to in ferre and ground ſome concluſions; Firſt, for mine owne opinion, and ſince I muſt confeſſe, let me ſpeake it with reuerence, that all the Parliaments ſince the 27. and 31. of King *Henry* 8 who gaue away Impropriations from the Church, ſeeme to me to ſtand in ſome ſort obnoxious and obliged to GOD in Conſcience to doe ſomewhat for the Church, to reduce the Patrimony there

of to a competencie; for since they have debarred Christs wife of a great part of her Dowrie, it were reason they made her a competent Ioynture. Next to say, that Impropriations should be onely charged, *that carrieth neither possibility nor reason.* Not possibility for the reason touched before. Not reason because if it be conceived that any other persons be charged it should be a recharge or double charge, in as much as he payeth Tythes to the Church, so the Realme hath taken that away againe from the Church, and gave them to the King, as they might give their tenth sheaffe, or ninth sheaffe; and therefore the first guift being evacuated, it cannot goe in defeazance or disgrace of that perpetuall bond whereby men are bound to maintaine Gods Ministers. As we see in example, *that divers godly and well disposed persons doe put in ure who are content to increase their Preachers livings*, which though in Law it be but a benevolence, yet before God, it is but a conscience. Farther that Impropriations should not be somewhat more deeply charged then other revenewes of like value; me thinkes it cannot well be denyed, both in regard of the ancient claim of the Church and the intention of the first giver. And againe, because *they have passed in valuation betweene man and man somewhat at the lesse rate, in regard of the said pretence or claime in Conscience before God*: But of this point touching Church maintainance, I doe not think fit to enter into a far-

farther particularity, but reſerve the ſame to a fit time.

Thus have I in all humbleneſſe and ſincerity of heart, to the beſt of mine underſtanding, given your Majeſty tribute of my cares and cogitations in this holy buſineſſe, ſo highly tending to Gods glory, your Majeſties honour, and the peace and welfare of your States; in ſo much, as I am perſwaded the Papiſts themſelves ſhould not need ſo much the ſeverity of the penall Lawes, if the ſword of the Spirit were better edged, by ſtrengthening the authority, and ſuppreſſing the abuſes in the Church.

To conclude therefore, renuing my moſt humble ſubmiſſion of all that I have ſaid, to your Majeſties moſt high wiſedome; and againe moſt humbly craving pardon for my error committed in this writing, with the ſame weakneſſe of Iudgment which ſuffered me to commit them, would not ſuffer mee to diſcover them.

I end with my devout and fervent prayer to GOD, that as hee hath made your Majeſty the corner ſtone in joyning your two Kingdomes, ſo you may bee alſo as a corner ſtone to unite and knit together theſe differences in the

Church of GOD, to whose heavenly grace, and never erring Direction, I commend your *Majesties* Sacred person and all your doings.

[***]

FINIS.